

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

KLIPSCH GROUP, INC.,

Plaintiff,

v.

BIG BOX STORE LIMITED d/b/a  
BIGBOXSTORE.COM and  
BIGBOXSAVE.COM; ZHONGREN CAO d/b/a  
UNITED PACIFIC CONNECTIONS  
COMPANY d/b/a ATECHPORT.COM and  
WIRELESSSPYCAMERA.BIZ; DANDAN WU  
d/b/a PANDAWILL.COM; *et al.*,

Defendants.

**CIV. ACTION NO. 12-cv-06283 (AJN)**

**DECLARATION OF CHARLES A.  
LeGRAND IN SUPPORT OF  
PLAINTIFF KLIPSCH GROUP,  
INC.'S MOTION BY ORDER TO  
SHOW CAUSE FOR A STAY  
PENDING APPEAL FROM THE  
OCTOBER 11, 2012 ORDER  
MODIFYING INJUNCTION**

1. I am an attorney licensed to practice law in the State of New York and before the Southern District of New York. I work with the law firm of Davis Wright Tremaine LLP (“DWT”) and am counsel to the Plaintiff Klipsch Group, Inc. (“Klipsch” or “Plaintiff”).

2. Pursuant to Local Rule 6.1(d), I submit this declaration in support of Plaintiff’s Motion for a Stay Pending Appeal from the October 11, 2012 Order Modifying Injunction (“Motion for Stay”), which Plaintiff brings by Order to Show Cause.

3. Proceeding by Order to Show Cause, rather than Notice of Motion, is necessary because of the urgent nature of Plaintiff’s Motion for Stay.

4. The October 11, 2012 Memorandum and Order (Doc. 67) (“Memorandum and Order”) entered by the Court has reduced the amount of restrained assets of defendant DealExtreme.com from \$2,000,000 to \$20,000.

5. The Motion for Stay seeks to prevent the transfer of the previously restrained assets -- potentially beyond the reach of this Court -- pending appeal of the Memorandum and Order.

6. By letter to the Court, dated October 12, 2012, Plaintiff requested an interim stay until Plaintiff's formal application made herein. On Sunday, October 14, 2012, counsel for DealExtreme.com directed PayPal to immediately release the restraint on all assets above \$20,000.00. By email this afternoon, counsel for PayPal indicated that PayPal will "initiate the process to reduce the reserve at approximately 6pm MDT," (8 pm EDT) today. Consequently, the need to move by Order to Show Cause has been confirmed.

7. No previous application for similar relief has been filed with the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th day of October 2012 in New York, New York.



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Charles A. LeGrand